

Message Text

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ACTION OES-04

INFO OCT-01 ARA-06 ISO-00 NASA-01 L-03 CIAE-00 INR-07

NSAE-00 PM-03 NSC-05 SP-02 SS-15 DODE-00 OPR-02 /049 W

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P 091730Z JUL 75

FM AMEMBASSY QUITO

TO SECSTATE WASHDC PRIORITY 6259

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E.O. 11652: N/A

TAGS: TSPA EC

SUBJECT: NASA STATION NEGOTIATIONS

REF: A) STATE 13448 B) QUITO 4754

1. SUMMARY: ADCM AND EMBOFF MET WITH FOREIGN MINISTRY OFFICER ON JULY 8 TO REVIEW STATUS OF NASA AGREEMENT. FOREIGN MINISTRY REP ASKED FOR TWO MINOR TEXTUAL CHANGES, AND INDICATED THAT ONCE THESE HAD BEEN MET, THE FOREIGN MINISTRY WAS PREPARED TO MOVE RAPIDLY AHEAD WITH SIGNING OF THE AGREEMENT. END SUMMARY.

2. ON JULY 8, ADCM AND EMBOFF CALLED ON AUGUSTO PEREZ ANDA, DIRECTOR GENERAL OF TREATIES AND INTERNATIONAL ORGANIZATIONS AT THE FOREIGN MINISTRY TO RECEIVE GOE COMMENTS ON THE DRAFT NASA AGREEMENT WHICH INCORPORATES CHANGES IDENTIFIED IN STATE 125226 AND STATE 119774. PEREZ ANDA INDICATED THAT THE GOE FOUND THE NEW TEXT TO BE ENTIRELY SATISFACTORY, WITH TWO MINOR EXCEPTIONS, AND, SINCE THE OLD AGREEMENT HAS ALREADY EXPIRED, THE GOE WOULD BE GLAD TO MOVE AHEAD QUICKLY TOWARDS SIGNATURE.

3. THE TWO CHANGES WHICH THE GOE WISHES TO INCORPORATE OCCUR IN ARTICLE VIII. IN THE FIRST SENTENCE, GOE IS UNHAPPY WITH OUR INSERTION OF THE PHRASE "THE LAWS AND" AND WOULD LIKE TO REVERT TO THE ORIGINAL LANGUAGE WHICH WOULD READ "WHENEVER, IN ACCORDANCE WITH THE NORMAL
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ADMINISTRATIVE PROCEDURES OF...". AFTER BRIEF DISCUSSION,

PEREZ AND ACCEPTED THAT "NORMAL ADMINISTRATIVE PROCEDURES" WOULD ENCOMPASS OUR INTERPRETING OUR NEEDS ACCORDING TO OUR LAWS. ADDITION OF THE PHRASE "LAWS AND" DOES NOT ADD ANYTHING THAT CANNOT BE SUBSUMED UNDER "NORMAL ADMINISTRATIVE PROCEDURES". EMBASSY RECOMMENDS ACCEPTANCE OF THIS CHANGE WITHOUT FURTHER ADO.

4. SECOND REQUEST WAS IN SECOND PARAGRAPH OF ARTICLE VIII, ADDITION OF THE PHRASE "IN AGREEMENT WITH THE ECUADOREAN COOPERATING AGENCY," FOLLOWING THE PHRASE "THE UNITED STATES COOPERATING AGENCY". SENTENCE WOULD THEN READ "IF, FOR WHATEVER REASON, THE AGREEMENT IS TERMINATED, THE UNITED STATES COOPERATING AGENCY, IN AGREEMENT WITH THE ECUADOREAN COOPERATING AGENCY WILL SELECT THE EQUIPMENT AND MATERIEL WHICH IT CAN CONTINUE TO USE IN ITS WORLDWIDE OPERATIONS, AND WILL EXPORT THEM IN ACCORDANCE WITH ARTICLE VI (2)." PEREZ AND ACKNOWLEDGED THAT THE REASON FOR REQUESTING THIS CHANGE WAS TO GIVE THE ECUADOREAN COOPERATING AGENCY (THE POLYTECHNIC SCHOOL) SOME FORM OF PARTICIPATION IN THE SELECTION OF EQUIPMENT AND MATERIEL WHICH WOULD REMAIN BEHIND IN THE EVENT THE AGREEMENT WERE TERMINATED. GOE'S SUGGESTED LANGUAGE CHANGE DOES NOT SEEM TO US TO BE OUT OF LINE WITH SIMILAR AGREEMENTS WE HAVE REACHED ELSEWHERE; ALTHOUGH WE COULD TRY TO TALK THEM OUT OF IT, IT WOULD BE AT THE COST OF FURTHER DELAY AND POSSIBLE DIMINUTION OF GOE WILLINGNESS TO SIGN THE AGREEMENT AT AN EARLY DATE. NASA STATION DIRECTOR AND EMBASSY THEREFORE RECOMMEND APPROVAL.

5. FINALLY, THERE HAVING BEEN LITTLE POINT IN DISCUSSING AND ENGLISH-LANGUAGE ARTICLE IV WITH THE FOREIGN MINISTRY (STATE 119774), DISCUSSIONS HAVE REVOLVED AROUND THE FOLLOWING SPANISH TRANSLATION: "PARA GARANTIZAR LA EFICIENTE CAPACITACION DEL PERSONAL ECUATORIANO, LOS ORGANISMOS COOPERATIVOS DE LOS ESTADOS UNIDOS Y DEL ECUADOR CONVENDRAN EN LAS CONDICIONES PARA EL OBJETO DE OFRECER CURSOS MEDIANTE LOS CUALES EL PERSONAL ECUATORIANO DE LA ESTACION DE RASTREO DE SATELITES PUEDA CONTINUAR SU CAPACITACION. EL ORGANISMO COOPERATIVO DE LOS ESTADOS UNIDOS PROPORCIONARA LOS FONDOS CONVENIDOS PARA ESTE PROGRAMA DE ADIESTRAMIENTO."

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THE FOREIGN MINISTRY ACCEPTS THIS FORMULATION; EMBASSY THEREFORE RECOMMENDS THAT THIS TEXT BE USED IN ORDER TO EXPEDITE PREPARATION OF AGREEMENT FOR SIGNATURE.

6. RECOMMENDATION: EMBASSY BELIEVES THE MOMENT IS RIGHT TO OBTAIN EARLY SIGNATURE OF A NEW NASA AGREEMENT, WHICH NEGOTIATIONS HAVE NOW EXTENDED BEYOND EXPIRY OF THE OLD AGREEMENT BECAUSE OF PROTRACTED EXCHANGES BETWEEN WASHINGTON

AND QUITO. WE TOLD PEREZ ANDA WE WOULD TRY TO GET BACK
TO HIM AS SOON AS POSSIBLE WITH A "GO OR NO-GO" DECISION
ON LANGUAGE. WE HOPE IT WILL BE POSSIBLE TO SECURE
WASHINGTON APPROVAL ON AGREED TEXT WITHIN A MATTER OF
DAYS SO WE CAN PROCEED TO SET DATE FOR SIGNING. PLEASE
ADVISE.
BREWSTER

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